

FILE

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

August 28, 2003

OFFICE OF  
MANAGING DIRECTOR

Ellen Mandell Edmundson  
Edmundson & Edmundson  
1818 N Street, N.W.  
Suite 700  
Washington, DC 20036

Re: Request for Filing Fee Waiver  
And Refund  
Fee Control No. 0306238195527002

Dear Ms. Edmundson:

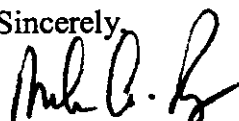
This letter is in response to your request for waiver and refund of the filing fee in the amount of \$800 submitted on behalf of Runnels Broadcasting System, LLC, Debtor In Possession (DIP), licensee of KNFT-FM, Bayard, New Mexico, in connection with the DIP's application filed June 19, 2003 for minor modification of KNFT-FM.

You recite that the DIP is currently in Chapter 11 bankruptcy before the United States Bankruptcy Court, District of New Mexico, and attach in support a copy of the Court's Amended Order Granting Motion For Joint Administration, which indicates that the motion was filed in the bankruptcy court on October 10, 2002. You request a refund of the filing fee based on financial hardship.

Section 1.1117 of the Commission's Rules, 47 C.F.R. § 1.1117, provides that filing fees may be waived upon a showing of good cause and a finding that the public interest will be served thereby. See Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 2 FCC Rcd 3558, 3572-73 (1990). Section 1.1117 further provides that an applicant seeking a waiver of the filing fee requirement include the applicable fee with its waiver request, and also provides that the fee will be returned if the waiver is granted. Id. We find that Runnels Broadcasting System, LLC's current bankruptcy substantiates its claim of financial hardship and demonstrates good cause for waiver and refund of the filing fee. See MobileMedia Corporation, 14 FCC Rcd 8017, 8027 (1999) (bankruptcy establishes good cause for waiver of filing fee). Therefore, your request is granted.

A check, made payable to the maker of the original check and drawn in the amount of \$800 will be sent to you at the earliest practicable time. If you have any questions concerning this refund, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer

0306238195527002

ORIG+4  
**RECEIVED**

JUN 20 2003

Federal Communications Commission  
Office of Secretary

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the matter of )

Runnels Broadcasting System, LLC, )  
debtor in possession (FRN 0005021696) )

Application For Minor Modification of License )  
KNFT-FM, Bayard, NM )  
(Facility ID No. 28126) )

OMD Docket No. \_\_\_\_\_  
FCC File No. 20030619ABE

**To: The Managing Director**

**REQUEST FOR WAIVER AND FILING FEE REFUND**

Runnels Broadcasting System, LLC, debtor in possession ("the DIP"), licensee of KNFT-FM, Bayard, NM, by its attorney and pursuant to Section 1.1117 of the Commission's rules, hereby respectfully requests waiver and refund of the \$800 filing fee paid in connection with the DIP's application for minor modification of KNFT-FM. The application was electronically filed on June 19, 2003, and the associated \$800 filing fee (Code MPR) was submitted to the appropriate FCC fee lockbox on June 20, 2003. As discussed below, waiver and refund are requested based on financial hardship.

**In accordance with Section 1.1117(c) and (e), this submission is in the form of a separate pleading marked to the attention of the Managing Director and attaches a copy of the application, a copy of the DIP's fee payment (Check No. 3387) and FCC Form 159.**

In support hereof, the following is respectfully shown:

Section 1.1117 of the Commission's rules provides for waiver of FCC filing fees upon a showing of good cause and a finding that the public interest will be served

**RECEIVED JUL 11 2003**

thereby. Section 1.1117(c) provides for waiver of filing fees based on financial hardship. Under Commission policy, “[e]vidence of bankruptcy or receivership is sufficient to establish financial hardship,”<sup>1</sup> and the Commission has waived filing fees on that basis.<sup>2</sup>

In the instant case, the DIP is in Chapter 11 bankruptcy before the U.S. Bankruptcy Court – District of New Mexico. The matter was previously being administered under Case No. 11-02-14217SR. A copy of the Court’s “Amended Order Granting Motions For Joint Administration,” which consolidated the matter under Case No. 11-02-14214MR, is attached hereto.

Based on the foregoing, it is respectfully submitted that the Chapter 11 Bankruptcy of the DIP establishes good cause to waive and refund the \$800 filing fee paid in connection with the subject filing. It is further submitted that, in accordance with the above-cited Commission case precedent<sup>3</sup>, grant of the requested waiver will serve the public interest by enabling the DIP to preserve assets that will accrue to innocent creditors.

WHEREFORE, the premises considered, the DIP respectfully requests refund of

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<sup>1</sup> *Memorandum Opinion and Order*, “Implementation of Section 9 of the Communications Act Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year,” 10 FCC Rcd 12759 at para. 14 (1995).


<sup>2</sup> *See e.g., Mobilemedia Corporation*, 14 FCC Rcd 8017 at para. 40 (1999) (“[W]aiver of the fee will serve the public interest by enabling Mobilemedia to preserve assets that will accrue to innocent creditors.”)

<sup>3</sup> *See* Note 2, *supra*.

the \$800 filing fee paid in connection with the subject application, in accordance  
herewith.

Respectfully submitted,

**RUNNELS BROADCASTING SYSTEM, LLC,**  
**debtor in possession**

By:   
Ellen Mandell Edmundson  
Its Attorney

Edmundson & Edmundson  
1818 N Street, N.W.  
Washington, D.C. 20036  
(202) 223-8580

June 20, 2003

**FCC MB - CDBS Electronic Filing**  
**Application Reference Number: 20030619ABE**  
**Successfully filed at Jun 19 2003 5:53PM**

**A Fee Payment is Required for this application.**

You can use the FCC's Electronic Form 159 System to pay electronically and/or to print out an appropriate Form 159. Press the button below now or return to this screen later by pressing the "Pay Fee" button on the CDBS Main Menu. See the [CDBS User's Guide](#) for more information about fee payment.

Applicant TIN (if applicable):

[Electronic Form 159](#)

[Return to Main Menu](#)

Federal Communications Commission Washington, D C 20554	Approved by OMB 3060-0027 (June 2002)	FOR FCC USE ONLY
<b>FCC 301</b>		
<b>APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION</b>		FOR COMMISSION USE ONLY FILE NO
Read INSTRUCTIONS Before Filling Out Form		

**Section I - General Information**

1.	<b>Legal Name of the Applicant</b> RUNNELS BROADCASTING SYSTEM, LLC, DIP		<b>RECEIVED</b>
	<b>Mailing Address</b> P.O BOX 1320		JUN 20 2003
	Federal Communications Commission		
	<b>City</b> SILVER CITY	<b>State or Country (if foreign address)</b> NM	<b>ZIP Code</b> 88062 -
	<b>Telephone Number (include area code)</b> 5053881958	<b>E-Mail Address (if available)</b>	
	<b>FCC Registration Number:</b> 0005021696	<b>Call Sign</b> KNFT-FM	<b>Facility ID Number</b> 28126
2.	<b>Contact Representative (if other than Applicant)</b> ELLEN MANDELL EDMUNDSON, ESQ.		<b>Firm or Company Name</b> EDMUNDSON & EDMUNDSON
	<b>Telephone Number (include area code)</b> 2022238580	<b>E-Mail Address (if available)</b> ELLEN@EDMUNDSONLAW.COM	
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="checkbox"/> Governmental Entity <input type="checkbox"/> Other		
4.	<b>Application Purpose</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> New station  <input type="checkbox"/> Major Change in licensed facility  <input checked="" type="checkbox"/> Minor Change in licensed facility         </div> <div style="width: 45%;"> <input type="checkbox"/> Major Modification of construction permit  <input type="checkbox"/> Minor Modification of construction permit  <input type="checkbox"/> Major Amendment to pending application  <input type="checkbox"/> Minor Amendment to pending application  <input type="checkbox"/> NA         </div> </div> <p>(a) File number of original construction permit.</p> <p>(b) Service Type. <span style="margin-left: 100px;"><input type="checkbox"/> AM <input checked="" type="checkbox"/> FM <input type="checkbox"/> TV <input type="checkbox"/> DTV</span></p> <p>(c) Community of License: City: BAYARD <span style="margin-left: 100px;">State NM</span></p> <p>(d) Facility Type <span style="margin-left: 100px;"><input checked="" type="checkbox"/> Main <input type="checkbox"/> Auxiliary</span></p> <p>If an amendment, submit as an Exhibit a listing by Section and Question Number the portions of the pending application that are being revised. <span style="float: right;">[Exhibit 1]</span></p>		

**NOTE:** In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

**Section II - Legal**

1.	<b>Certification.</b> Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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	<p>where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.</p>	
2	<p><b>Parties to the Application.</b></p> <p>a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>(1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest) List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.</p> </div> <div style="width: 48%;"> <p>(2) Citizenship.</p> <p>(3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's equity/debt plus standard, etc.</p> <p>(4) Percentage of votes.</p> <p>(5) Percentage of total assets (equity plus debt).</p> </div> </div> <p>[Enter Parties/Owners Information]</p> <hr/> <p>b. Applicant certifies that equity and financial interests not set forth above are non-attributable.</p> <div style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No  <input type="radio"/> N/A              See Explanation in              [Exhibit 2]         </div>	
3	<p><b>Other Authorizations.</b> List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest.</p>	<div style="text-align: right;"> <input type="checkbox"/> N/A              [Exhibit 3]         </div>
4	<p><b>Multiple Ownership.</b></p> <p>a. Applicant certifies that the proposed facility.</p> <div style="margin-left: 20px;"> <p>1. complies with the Commission's multiple and cross-ownership rules;</p> <p>2. does not present an issue under the Commission's policies relating to media interests of immediate family members;</p> <p>3. complies with the Commission's policies relating to future ownership interests; and</p> <p>4. complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.</p> </div> <p>b. Radio Applicants Only. If the grant of the application would result in certain principal community service contour overlaps, see Local Radio Ownership Worksheet, Question 1, applicant certifies that all relevant information has been placed in public inspection file(s) and submitted to the Commission.</p>	<div style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No              See Explanation in              [Exhibit 4]         </div> <div style="text-align: right; margin-top: 20px;"> <input type="radio"/> Yes <input type="radio"/> No  <input type="radio"/> N/A              See Explanation in              [Exhibit 5]         </div>
5	<p><b>Character Issues.</b> Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with.</p> <p>a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or</p> <p>b. any pending broadcast application in which character issues have been raised.</p>	<div style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No              See Explanation in              [Exhibit 6]         </div>
6	<p><b>Adverse Findings.</b> Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit, or discrimination</p>	<div style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No              See Explanation in              [Exhibit 7]         </div>
7	<p><b>Alien Ownership and Control.</b> Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.</p>	<div style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No              See Explanation in         </div>

		[Exhibit 8]
8.	<b>Program Service Certification.</b> Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	<input type="radio"/> Yes <input type="radio"/> No
9.	<b>Local Public Notice.</b> Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	<input type="radio"/> Yes <input type="radio"/> No
10.	<b>Auction Authorization.</b> If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable  <b>An exhibit is required unless this question is inapplicable</b>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A  [Exhibit 9]
11.	<b>Anti-Drug Abuse Act Certification.</b> Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No
12.	<b>Equal Employment Opportunity (EEO).</b> If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing D. MATTHEW RUNNELS	Typed or Printed Title of Person Signing MEMBER
Signature	Date 6/13/2003

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

<b>Section III-B - FM Engineering</b>	
<b>TECHNICAL SPECIFICATIONS</b>	
Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.	
<b>TECH BOX</b>	
1.	Channel Number. 275
2.	Class (select one) <input type="radio"/> A <input type="radio"/> B1 <input type="radio"/> B <input type="radio"/> C3 <input type="radio"/> C2 <input checked="" type="radio"/> C1 <input type="radio"/> C0 <input type="radio"/> C <input type="radio"/> D
3.	Antenna Location Coordinates (NAD 27)  Latitude Degrees 32 Minutes 51 Seconds 49 <input checked="" type="radio"/> North <input type="radio"/> South  Longitude: Degrees 108 Minutes 14 Seconds 27 <input checked="" type="radio"/> West <input type="radio"/> East
4.	One Step Proposal Allotment Coordinates. (NAD 27) <input checked="" type="checkbox"/> Not Applicable  Latitude: Degrees Minutes Seconds <input type="radio"/> North <input type="radio"/> South



Longitude Degrees Minutes Seconds <input type="radio"/> West <input type="radio"/> East																																																																																																											
5.	Antenna Structure Registration Number <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA																																																																																																										
6.	Overall Tower Height Above Ground Level:						59meters																																																																																																				
7.	Height of Radiation Center Above Mean Sea Level						2507 meters(H)		2507 meters(V)																																																																																																		
8.	Height of Radiation Center Above Ground Level:						38meters(H)		38meters(V)																																																																																																		
9.	Height of Radiation Center Above Average Terrain:						481meters(H)		481meters(V)																																																																																																		
10.	Effective Radiated Power:						29 kW(H)		29 kW(V)																																																																																																		
11.	Maximum Effective Radiated Power: <input checked="" type="checkbox"/> Not Applicable (Beam-Tilt Antenna ONLY)						kW(H)		kW(V)																																																																																																		
12.	Directional Antenna Relative Field Values: <input checked="" type="checkbox"/> Not applicable (Nondirectional)  Rotation (Degrees): <input type="checkbox"/> No Rotation																																																																																																										
<table border="1"> <thead> <tr> <th>Degrees</th><th>Value</th><th>Degrees</th><th>Value</th><th>Degrees</th><th>Value</th><th>Degrees</th><th>Value</th><th>Degrees</th><th>Value</th><th>Degrees</th><th>Value</th></tr> </thead> <tbody> <tr><td>0</td><td></td><td>10</td><td></td><td>20</td><td></td><td>30</td><td></td><td>40</td><td></td><td>50</td><td></td></tr> <tr><td>60</td><td></td><td>70</td><td></td><td>80</td><td></td><td>90</td><td></td><td>100</td><td></td><td>110</td><td></td></tr> <tr><td>120</td><td></td><td>130</td><td></td><td>140</td><td></td><td>150</td><td></td><td>160</td><td></td><td>170</td><td></td></tr> <tr><td>180</td><td></td><td>190</td><td></td><td>200</td><td></td><td>210</td><td></td><td>220</td><td></td><td>230</td><td></td></tr> <tr><td>240</td><td></td><td>250</td><td></td><td>260</td><td></td><td>270</td><td></td><td>280</td><td></td><td>290</td><td></td></tr> <tr><td>300</td><td></td><td>310</td><td></td><td>320</td><td></td><td>330</td><td></td><td>340</td><td></td><td>350</td><td></td></tr> <tr><td colspan="12">Additional Azimuths</td></tr> </tbody> </table>												Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	0		10		20		30		40		50		60		70		80		90		100		110		120		130		140		150		160		170		180		190		200		210		220		230		240		250		260		270		280		290		300		310		320		330		340		350		Additional Azimuths											
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Relative Field Polar Plot

**NOTE:** In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

**CERTIFICATION**

**AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 13-16. PROCEED TO ITEM 17.**

13.	<b>Allotment.</b> The proposed facility complies with the allotment requirements of 47 C.F.R. Section 73.203.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 21]
14.	<b>Community Coverage.</b> The proposed facility complies with 47 C.F.R. Section 73.315.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 22]
15.	<b>Main Studio Location.</b> The proposed main studio location complies with 47 C.F.R. Section 73.1125.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 23]
16.	<b>Interference.</b> The proposed facility complies with all of the following applicable rule sections. Check all those that apply:  <b>Separation Requirements.</b> <input checked="" type="checkbox"/> a) 47 C.F.R. Section 73.207	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 24]

**Grandfathered Short-Spaced.**

☐ b) 47 C.F.R. Section 73.213(a) with respect to station(s): [Exhibit 25]

**Exhibit required**

☐ c) 47 C.F.R. Section 73.213(b) with respect to station(s): [Exhibit 26]

**Exhibit required**

☐ d) 47 C.F.R. Section 73.213(c) with respect to station(s): [Exhibit 27]

**Exhibit required.**

**Contour Protection**

☐ e) 47 C.F.R. Section 73.215 with respect to station(s): [Exhibit 28]

**Exhibit required.**

17. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an **Exhibit is required.**

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

☒ Yes ☐ No

See Explanation in  
[Exhibit 29]

**PREPARERS CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.**

**SECTION III - PREPARER'S CERTIFICATION**

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name PATRICK J. PARKS		Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature		Date 6/10/2003	
Mailing Address 7847 FM 2153			
City AUBREY	State or Country (if foreign address) TX	Zip Code 76227 -	
Telephone Number (include area code) 9403801317	E-Mail Address (if available) PATPARKS@POBOX.COM		

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

**Exhibits**

**Attachment 21**

## Attachment 24

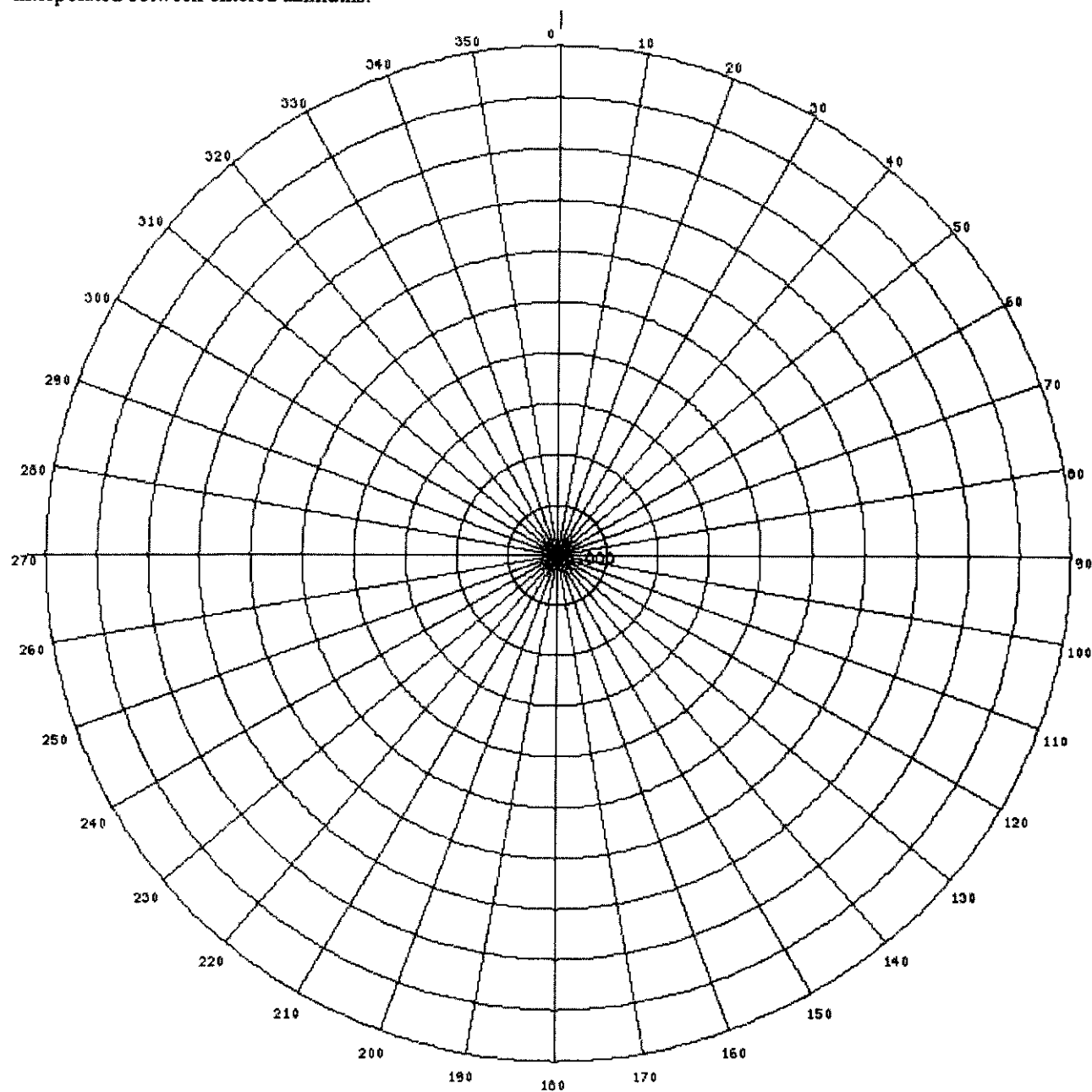
Description
EXHIBIT 24 - SPACING STUDY

## Attachment 29

Description
EXHIBIT 29 - RF EXPOSURE

Any specified rotation has already been applied to the plotted pattern

Field strength values shown on a rotated pattern may differ from the listed values because intermediate azimuths are interpolated between entered azimuths.



ENG. EXHIBIT  
RUNNELS BROADCASTING, LLC.

06-10-2003

RUNNELS BROADCASTING, LLC.

PAGE 1

FM Study for: KNFT-FM                      FCC Database Date: 6/5/2003                      32-51-49  
Location: BAYARD, NM                      Channel Class: C1                      108-14-27  
[\*] by HAAT indicates calculated as missing in database.  
Call    City, State                      Chan Class Freq kW    Latitude    Dist.    Required  
Status Proponent                      File Number HAAT    Longitude    Azm.    Clear (km)

-----  
>>>>>>> Study For Channel 275 102.9 MHz <<<<<<<<

KNFTFM	BAYARD, NM	275 C1	102.9	26.0	32-51-45	0.1	245	
LIC	Fac. No. 28126	BLH-19890726KD	491		108-14-29	202.8	-244.9	SHORT
		Use of 73.215 for short spacing requires:	224				-223.9	SHORT
KHQT	LAS CRUCES, NM	276 A	103.1	1.00	32-24-18	147.9	133	
LIC	Fac. No. 33457	BLH-19981203KB	168		106-45-41	109.7	+14.9	CLOSE
KWRQ	CLIFTON, AZ	272 C1	102.3	4.30	32-53-23	101.4	82	73.215
LIC	Fac. No. 56341	BLH-20020419AAQ	690		109-19-26	271.9	+19.4	CLEAR

**Engineering Exhibit Page 1 of 3**  
**Runnels Broadcasting System, LLC**  
**FCC Form 301**

Runnels Broadcasting System, LLC, the licensee of KNFT-FM, Bayard, NM, proposes to install a Main Antenna, at an existing multiple-user transmitter site located at geographic coordinates 32° 51' 49' North Latitude, 108° 14' 27" West Longitude (NAD 27) using a circularly polarized antenna, 29 kW radiated power at 481 meters antenna radiation center height above average terrain. The proposed antenna radiation center is 38 meters above ground level (AGL).

An analysis was made of the human exposure to RFR using the calculation methodology described in OET Bulletin 65, Edition 97-01, prepared by the FCC Office of Engineering and Technology. A 5 bay ERI "Rototiller" type-transmitting antenna was selected for the calculation of the KNFT-FM antenna power density as this will be the antenna of use.

At the base of the tower and two meters above ground level the predicted KNFT-FM antenna power density would be 45.0 uW/cm<sup>2</sup>, which is 22.5% of the FCC MPE limit for general population/uncontrolled exposure, and 4.5% of the FCC MPE limit for occupational/controlled exposure. Given that the antenna will be mounted 38 meters above ground level, additional analysis was conducted to look at all areas of the environment for the "worst case" power density level. As a result the highest predicted KNFT-FM antenna power density would be located 13 meters from the base of the supporting structure and is 113.0 uW/cm<sup>2</sup>, which is 57% of the FCC MPE limit for general population/uncontrolled exposure, and 11% of the FCC MPE limit for occupational/controlled exposure.

Pursuant to the provisions of OET Bulletin 65, at multiple-user transmitter sites, those licensees whose transmitters produce power density levels in excess of 5.0% of the applicable exposure limit are considered "significant contributors" and share responsibility for actions necessary to bring the local RF environment in compliance with

**ENG EXHIBIT Page 2 of 3**  
**Runnels Broadcasting System, LLC**

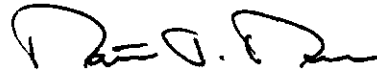
FCC exposure limits. Since the KNFT-FM antenna is new to a multiple user site and will be considered a "significant contributor", other sources at the site were studied at all accessible locations. An RFR survey was conducted on April 14, 2003 by Rita Nickum using a Holaday HI-3012 RF Field Strength Meter, Serial #81301 and associated probes all calibrated 7/11/02. All contributors at the site were operating at their licensed power levels during the entire RFR survey and the readings were noted at two meters above ground level. The highest measured reading was observed four to six feet from the tower and was 2.3 uW/cm<sup>2</sup> which is 1.1% of the FCC MPE limit for general population/uncontrolled exposure, and .23% of the FCC MPE limit for occupational/controlled exposure. Walking out in all directions from the tower and across all parking areas, roads, sidewalks and rooftops the readings remained at or below .26uW/cm<sup>2</sup>, which is .1% of the FCC MPE limit for general population/uncontrolled exposure, and .02% of the FCC MPE limit for occupational/controlled exposure. These other sources of RFR are less than 5% of the FCC MPEs for both the uncontrolled and the controlled environments and as a result are exempt from consideration.

In light of these measurements it is demonstrated that the addition of the proposed KNFT-FM to these other sources will not exceed the FCC MPEs for either general population/uncontrolled or the occupational/controlled exposure guidelines. If work is done on the tower in an area where over exposure could occur, Runnels will take necessary action to prevent the overexposure of workers on the tower including reducing the KNFT-FM transmitting power or ceasing operation completely. In addition, Runnels will cooperate with other site users to assure that work is performed at the site without exceeding the FCC MPEs for occupational/controlled exposure.

The instant proposal is categorically excluded from environmental processing since none of the conditions of Sections 1.1306(b)(1) or (3) of the FCC Rules would be involved for the following reasons:

**ENG EXHIBIT Page 3 of 3**  
**Runnels Broadcasting System, LLC**

1. The KNFT-FM antenna facility will utilize an existing supporting structure that is not in or near any location referenced in Section 1.1306(b)(1) of the FCC Rules as being of environmental interest.
2. With regard to RFR exposure concerns, compliance with applicable FCC MPE limits would be achieved.



Patrick J. Parks  
Consulting Engineer  
7847 FM 2153  
Aubrey, TX 76227

940-380-1317  
June 10, 2003



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

In re: Dewey Matthew Runnels and  
Judy Carol Runnels,

No. 11-02-14214 MR

and

Runnels Broadcasting Systems, Inc

No. 11-02-14217 SR

**AMENDED ORDER GRANTING MOTIONS FOR JOINT ADMINISTRATION**

This matter is before the Court on the Motion for Joint Administration by Debtors Dewey Matthew Runnels and Judy Carol Runnels, No. 11-02-14214 MR filed on October 13, 2002, by and through their counsel Sidney J. Diamond, and the Motion for Joint Administration filed by Runnels Broadcasting Systems, LLC, No. 11-02-14217 SR filed on October 10, 2002 by and through its counsel Jennie Deden Behles.

**IT IS ORDERED:**

1. The Motions for Joint Administration are granted.
2. All future pleadings in this matter, except proofs of claim, shall be captioned:

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

In re:  
Dewey Matthew Runnels and  
Judy Carol Runnels,  
and  
Runnels Broadcasting Systems, Inc,

Debtors.

Jointly Administered under  
No. 11-02-14214 MR

- 3 All future pleadings, except proofs of claim, in these jointly administered cases shall be docketed and filed only in Case No. 11-02-14214 MR.


4. The clerk shall continue to maintain separate claims registers for each case.
5. All future proceedings in these jointly administered cases shall be presided over by Judge Mark B. McFeeley.
6. Case No. 02-11-14217 SR is transferred to Judge Mark B. McFeeley.
7. Counsel for Dewey Matthew Runnels and Judy Carol Runnels shall submit a combined mailing list to the clerk within ten (10) days of the date of this order.
8. Counsel for Dewey Matthew Runnels and Judy Carol Runnels shall mail a copy of this order to all creditors and other parties in interest within ten (10) days of the date of entry of this order and shall file a certificate of mailing of the order within five (5) days thereafter

  
MARK B. McFEELEY  
UNITED STATES BANKRUPTCY JUDGE

I hereby certify that a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered, or mailed to the listed counsel and parties, on the date file-stamped above.

Sidney J. Diamond  
Counsel for Matthew and Judy Runnels  
3800 N. Mesa  
Suite C-4  
El Paso, TX 79902

Jennie Deden Behles  
Counsel for Runnels Broadcasting, LLC  
PO Box 849  
Albuquerque, NM 87103

  
Ellen C. Snyder,  
Law Clerk

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PHONE 202-223-8580  
FAX 202-223-8581  
ellen@edmundsonlaw.com

June 20, 2003

RECEIVED

JUN 20 2003

Federal Communications Commission  
Office of Secretary

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Media Bureau Applications  
P.O. Box 358195  
Pittsburgh, PA 15251-5195

**Re: FEE FILING (CODE MPR): \$800 FEE ATTACHED**  
**Runnels Broadcasting System, LLC, DIP (FRN 0005021696)**  
**KNFT-FM, Bayard, NM (Facility ID 28126)**  
**FCC Form 301 Application For Minor Modification**  
**Ref: CDBS20030619ABE**

JUN 23 12 05 PM '03

Dear Ms. Dortch:

On behalf of Runnels Broadcasting System, LLC, DIP, licensee of KNFT-FM, Bayard, New Mexico, transmitted herewith is FCC Form 159 and the licensee's check (No. 3387) in the amount of \$800.00 in payment of the requisite filing fee for its above referenced application, which was filed electronically on June 19, 2003.

Should any question arise concerning this submission, please communicate directly with our office.

Sincerely yours,



Ellen Mandell Edmundson

Enclosures

Cc (w/ encl.). Runnels Broadcasting System, LLC, DIP (LPF)

READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by OMB  
3060-0589  
Page No 1 of 1

(1) LOCKBOX # **358195**

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card enter name exactly as it appears on your card)

**Runnels Broadcasting System, L**

(3) TOTAL AMOUNT PAID (U S Dollars and cents)

**\$800.00**

(4) STREET ADDRESS LINE NO 1

**Post Office Box 1320**

(5) STREET ADDRESS LINE NO 2

(6) CITY

**Silver City**

(7) STATE

**NM**

(8) ZIP CODE

**88062**

(9) DAYTIME TELEPHONE NUMBER (include area code)

**505 - 3881958**

(10) COUNTRY CODE (if not in U S A )

**US**

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)

**0005021696**

(12) PAYER (TIN)

**0742852968**

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B  
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME

**RUNNELS BROADCASTING SYSTEM, LLC, DIP**

(14) STREET ADDRESS LINE NO 1

**P.O. BOX 1320**

(15) STREET ADDRESS LINE NO 2

(16) CITY

**SILVER CITY**

(17) STATE

**NM**

(18) ZIP CODE

**88062 -**

(19) DAYTIME TELEPHONE NUMBER (include area code)

**5053881958**

(20) COUNTRY CODE (if not in U S A )

**USA**

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)

**0005021696**

(22) APPLICANT (TIN)

**0525174553**

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID

**KNFT-FM**

(24A) PAYMENT TYPE CODE

**MPR**

(25A) QUANTITY

**1**

(26A) FEE DUE FOR (PTC)

**\$800.00**

(27A) TOTAL FEE

**\$800.00**

FCC USE ONLY

(28A) FCC CODE 1

**28126**

(29A) FCC CODE 2

**CDBS20030619ABE**

(23B) CALL SIGN/OTHER ID

(24B) PAYMENT TYPE CODE

(25B) QUANTITY

(26B) FEE DUE FOR (PTC)

(27B) TOTAL FEE

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, \_\_\_\_\_, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/VISA ACCOUNT NUMBER

EXPIRATION  
DATE

☐

MASTERCARD

☐

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

# Payment Transactions Detail Report

Date: 07/14/2003

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
0306238195527002	RUNNELS BROADCASTING SYSTEM L PO BOX 1320  SILVER CITY NM 88062	WP00059101	0742852968	06/20/2003 00:00:00							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$800.00	\$800.00	1	MPR	1	KNFTFM	RUNNELS BROADCASTING SYSTEM LL	88062		\$800.00	1	PMT
Total	1								\$800.00		